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MAY 27 2005

EVELYN M. SOMMER  
250 PARK AVENUE, ROOM 825  
NEW YORK, NY 10022

In re Application of  
Bashir Zikria :  
Serial No.: 08/837,840 : PETITION DECISION  
Filed: April 22, 1997 :  
Attorney Docket No.: :

This is in response to the petition under 37 CFR 1.181, filed September 7, 2004, for withdrawal of abandonment based on incorrect mailing address. The delay in acting on this petition is regretted.

A review of the file history shows that this application, following a decision by the Board of Patent Appeals and Interferences, was allowed on June 17, 2002, the Notice of Allowance being mailed to the address of record: EVELYN M. SOMMER, 300 PARK AVENUE, 25<sup>TH</sup> FLOOR, NEW YORK, NY 10022-7402. This was the address provided in the change of Address letter filed February 19, 1999. Publications Division returned the application to the examiner in October and December, 2002, with a notation that the Notice of Allowance and Issue Fee Due had been returned as undeliverable and that no change of address was present in the file. A second Notice of Allowance and Issue Fee Due was mailed to the same address on May 21, 2003. Applicant's attorney filed a change of address on June 1, 2004, to change the correspondence address to: 250 PARK AVENUE, 8<sup>TH</sup> FLOOR, NEW YORK, NY 10022, and a subsequent correction to ROOM 825, on July 1, 2004. The correspondence address on the petition is the above noted address. A Notice of Abandonment was mailed on August 9, 2004, to 825 THIRD AVENUE, 30<sup>TH</sup> FLOOR, NEW YORK, NY 10022, for failure to pay the Issue Fee, and apparently received by applicant's attorney.

From the above information in Office records, it appears that applicant's attorney has changed correspondence addresses several times over the last few years, but has not always informed the Office of such changes in every application. Absent further evidence that correspondence address changes were timely and properly submitted to the Office, this application must be considered abandoned due to applicant's lack of diligence in maintaining a current correct correspondence address.

The petition is **DISMISSED**.

Applicant may submit a renewed petition addressing the above facts or omissions noted above. Any such renewed petition must be submitted within TWO MONTHS of the mailing date of this

decision in order to be considered timely. Alternatively, applicants may submit a petition under 37 CFR 1.137(b) for unintentional abandonment and seek revival in this manner.

A copy of the most recent Notice of Allowance and Issue Fee Due and Notice of Allowability are included with this decision for applicant's convenience.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number, 571-273-8300.



Handwritten signature of Bruce M. Kisliuk, appearing to read "Bruce M. Kisliuk".

Bruce M. Kisliuk  
Director, Technology Center 1600